IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

CIVIL WRIT No. 2312 of 2007

SURESH CHANDRA MEHTA
V/S
NATIONAL HOUSINGH BANK OF NDIA &ORS

Mr. PANKAJ KUMAR BOHRA, for the appellant / petitioner

Date of Order : 16.5.2007

HON'BLE SHRI N P GUPTA,J.

ORDER

Heard learned counsel for the petitioner.

Against the action of the bank under Securitisation Reconstruction of Financial Assets & Enforcement of Security Interest Act,2002 the petitioner has already filed an appeal which is also pending. The appellate Court rejected the prayer for interim stay by the order dated 2.4.2007 and the case is now fixed for judgment.

In the order dated 2.4.07, detailed reasons have been given why interim order was not continued. However, it will be open for the petitioner to avail whatever remedy the petitioner may have against the order of vacation of interim order dated 2.4.2007.

So far as the present writ is concerned, since the appeal is pending before the Debt Recovery Tribunal, I am not inclined to interfere in favour of the petitioner. The writ petition, therefore, is dismissed summarily. However, the learned Tribunal is directed to decide the appeal most expeditiously.

(N P GUPTA),J.

/anil/